



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3017730

Applicant Name: Carl Dominguez, on behalf of City of Seattle Finance and Administrative Services

Address of Proposal: 1020 NE 82nd Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a temporary trailer structure containing radio transmitter equipment during new construction of permanent radio transmitter building (Permanent building approved under project # 3016073).

The following approvals are required:

Temporary Use – to allow a use not otherwise permitted or not meeting development standards in the zone, pursuant to Seattle Municipal Code (SMC) 23.42.040.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

SUMMARY OF PROPOSED ACTION

This Land Use Application would allow the temporary location of a prefabricated trailer containing Department of Information and Technology radio equipment on a single family zoned lot while a permanent structure is constructed. A temporary use permit is required for a utility use, a principal use that is not permitted outright in a single family zone per SMC 23.44.006. The site is located within the Maple Leaf Reservoir and Park in an area bound by Roosevelt Way NE to the west, NE 82nd Street to the south, 14th Ave NE to the east and single family zoned

parcels to the north. The Maple Leaf Reservoir and Park surrounds a small 1,950 square foot parcel located along Roosevelt Way NE which will ultimately contain the permanent utility structure. The temporary structure will be located directly east of the new permanent structure on the adjacent park land. The site and all surround lots are zoned Single Family 5000.

The temporary relocation would occur during the construction of the new building. The trailer will be moved onto the site by way of existing park access roads and no construction is proposed for this project. The applicant has specified duration of up to six months. The total area to be used as temporary utility space is 467 sq. ft.

A Temporary Use permit is required for the proposed use as provided for in Seattle Municipal Code (SMC) [23.42.040 C](#).

PUBLIC COMMENT

DPD published a notice of application for the project on July 24, 2014. The comment period ended on August 6, 2014. DPD received no comments.

ANALYSIS

SMC [23.42.040](#) provides that the Director may grant, deny, or condition a temporary use application for uses not permitted or not meeting development standards in the zone where the use is proposed.

SMC [23.42.040 C](#) provides that a Master Use Permit for a period of up to six months may be authorized for any use that does not involve the erection of a permanent structure and that meets the requirements of SMC 23.42.040 A1a-c:

- a. The use shall not be materially detrimental to the public welfare; and
- b. The use shall not result in substantial injury to property in the vicinity; and
- c. The use shall be consistent with the spirit and purpose of the Land Use Code.

A. The use shall not be materially detrimental to the public welfare.

The proposal will not be materially detrimental to the public welfare since there will be no new employees traveling to and from the neighborhood; there are no modifications proposed to the park land where the temporary trailer will be located. The trailer will be located along the periphery of the park to limit impacts to the public use of park land.

B. The use shall not result in substantial injury to the property in the vicinity.

In that no modifications to the sites or vegetation are being proposed, the use will not result in any risk of substantial injury to this property or any within the neighborhood or the vicinity.

C. The use shall be consistent with the spirit and purpose of the Land Use Code.

SMC [23.02.020](#) provides that the purpose of the Land Use Code is to: “*protect and promote public health, safety and general welfare through a set of regulations and procedures for the use of land which are consistent with and implement the City's Comprehensive Plan. Procedures are established to increase citizen awareness of land use activities and their impacts and to coordinate necessary review processes.*” The Land Use Code provides for flexible temporary establishment of uses that are not otherwise allowed in a zone, or which don’t otherwise meet development standards – all subject to review, public input, and DPD conditioning. As proposed, DPD recognizes the temporary use to have no likely adverse effect on public health, safety and general welfare. Its temporary establishment occurs through procedures laid out in the Land Use Code, and as such it is consistent with its spirit and purpose.

CONCLUSION

The proposed utility trailer use meet all three criteria associated with temporary uses. The temporary uses should not be materially detrimental to the public welfare, it should not result in substantial injury to properties in the vicinity, and it is consistent with the spirit and purpose of the Land Use Code.

DECISION

DPD **GRANTS** the proposed temporary utility trailer uses on the subject site.

CONDITIONS

None required.

Signature: _____ (signature on file) Date: October 6, 2014
Lindsay King, Senior Land Use Planner
Department of Planning and Development

LK:bg

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